

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GURBAKSH CHAHAL,

Plaintiff,

v.

BILL LONERGAN, et al.,

Defendants.

Case No. 17-CV-01036-LHK

**ORDER LIFTING STAY OF
DISCOVERY AND SETTING CASE
MANAGEMENT CONFERENCE**

Re: Dkt Nos. 39, 40, 51, 54

On May 31, 2017, the Court granted a stay of discovery. ECF No. 36. The only basis for that stay of discovery was Plaintiff's shareholder derivative causes of action. On June 16, 2017, the Court granted Plaintiff's stipulation to dismiss his shareholder derivative claims against Defendants. ECF No. 38. Thus, Plaintiff has removed the basis for the Court's stay of discovery. On June 16, 2017, Plaintiff filed a Motion to Vacate Discovery Stay. ECF No. 39. On June 30, 2017, Defendant filed an opposition. ECF No. 52. Because the basis of the Court's stay of discovery has been eliminated, the Court GRANTS Plaintiff's Motion to Vacate Discovery Stay.

On June 16, 2017, Plaintiff filed an Administrative Motion to Shorten Time for a Hearing on Plaintiff's Motion to Vacate Discovery Stay. ECF No. 40. On June 19, 2017, Defendant filed an opposition. ECF No. 42. On June 27, 2017, Plaintiff filed a reply and an accompanying

1 declaration. ECF No. 46. Because Plaintiff's Motion to Vacate Discovery Stay has been granted,
2 Plaintiff's Motion to Shorten Time for a Hearing on that motion is DENIED as moot.

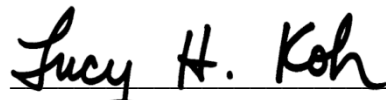
3 On June 30, 2017, Defendant filed a Motion to Strike the reply and the declaration
4 accompanying the reply in support of Plaintiff's Motion to Shorten Time for a Hearing on
5 Plaintiff's Motion to Vacate Discovery. ECF No. 51. However, because the Motion to Shorten
6 Time has been denied as moot, the Court need not consider the reply or the declaration
7 accompanying the reply in support of Plaintiff's Motion to Shorten Time. Therefore, Defendant's
8 Motion to Strike is DENIED as moot.

9 On July 5, 2017, the parties stipulated to a briefing schedule on Defendant's Motion to
10 Strike to match the current briefing schedule on Defendant's Motion to Dismiss. ECF No. 54; *see*
11 *also* ECF No. 47 (docket entry for Defendant's Motion to Dismiss stating, "Responses due by
12 8/4/2017. Replies due by 8/25/2017"). Because the Court has denied Defendant's Motion to
13 Strike as moot, the parties' stipulation regarding the briefing schedule on Defendant's Motion to
14 Strike is DENIED as moot.

15 The Court sets a further case management conference for July 19, 2017, at 2:00 p.m. By
16 July 14, 2017, the parties shall file a joint case management statement that shall include a joint
17 proposed case schedule through trial.

18 **IT IS SO ORDERED.**

19
20 Dated: July 10, 2017



LUCY H. KOH
United States District Judge